

swering point and other appropriate emergency entities;

(E) supports data or video communications needs for coordinated incident response and management; and

(F) provides broadband service to public safety answering points or other first responder entities.

(23) NIST

The term “NIST” means the National Institute of Standards and Technology.

(24) NTIA

The term “NTIA” means the National Telecommunications and Information Administration.

(25) Public safety answering point

The term “public safety answering point” has the meaning given such term in section 222 of this title.

(26) Public safety entity

The term “public safety entity” means an entity that provides public safety services.

(27) Public safety services

The term “public safety services”—

(A) has the meaning given the term in section 337(f) of this title; and

(B) includes services provided by emergency response providers, as that term is defined in section 101 of title 6.

(28) Public Safety Trust Fund

The term “Public Safety Trust Fund” means the trust fund established under section 1457(a)(1) of this title.

(29) Radio access network

The term “radio access network” means the radio access network described in section 1422(b)(2) of this title.

(30) Reverse auction

The term “reverse auction” means the portion of an incentive auction of broadcast television spectrum under section 1452(a) of this title, in which a broadcast television licensee may submit bids stating the amount it would accept for voluntarily relinquishing some or all of its broadcast television spectrum usage rights.

(31) State

The term “State” has the meaning given such term in section 153 of this title.

(32) Ultra high frequency

The term “ultra high frequency” means, with respect to a television channel, that the channel is located in the portion of the electromagnetic spectrum between the frequencies from 470 megahertz to 698 megahertz.

(33) Very high frequency

The term “very high frequency” means, with respect to a television channel, that the channel is located in the portion of the electromagnetic spectrum between the frequencies from 54 megahertz to 72 megahertz, from 76 megahertz to 88 megahertz, or from 174 megahertz to 216 megahertz.

(Pub. L. 112–96, title VI, §6001, Feb. 22, 2012, 126 Stat. 201.)

Editorial Notes

REFERENCES IN TEXT

Section 6402, referred to in par. (17), is section 6402 of Pub. L. 112–96, which amended section 309 of this title.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 112–96, title VI, §6501, Feb. 22, 2012, 126 Stat. 237, provided that: “This subtitle [subtitle E (§§6501–6509) of title VI of Pub. L. 112–96, enacting sections 1471 to 1473 of this title and amending section 942 of this title] may be cited as the ‘Next Generation 9–1–1 Advancement Act of 2012.’”

§ 1402. Rule of construction

Each range of frequencies described in this chapter shall be construed to be inclusive of the upper and lower frequencies in the range.

(Pub. L. 112–96, title VI, §6002, Feb. 22, 2012, 126 Stat. 204.)

§ 1403. Enforcement

(a) In general

The Commission shall implement and enforce this chapter as if this chapter is a part of the Communications Act of 1934 (47 U.S.C. 151 et seq.). A violation of this chapter, or a regulation promulgated under this chapter, shall be considered to be a violation of the Communications Act of 1934, or a regulation promulgated under such Act, respectively.

(b) Exceptions

(1) Other agencies

Subsection (a) does not apply in the case of a provision of this chapter that is expressly required to be carried out by an agency (as defined in section 551 of title 5) other than the Commission.

(2) NTIA regulations

The Assistant Secretary may promulgate such regulations as are necessary to implement and enforce any provision of this chapter that is expressly required to be carried out by the Assistant Secretary.

(Pub. L. 112–96, title VI, §6003, Feb. 22, 2012, 126 Stat. 204.)

Editorial Notes

REFERENCES IN TEXT

The Communications Act of 1934, referred to in subsec. (a), is act June 19, 1934, ch. 652, 48 Stat. 1064, which is classified principally to chapter 5 (§ 151 et seq.) of this title. For complete classification of this Act to the Code, see section 609 of this title and Tables.

§ 1404. National security restrictions on use of funds and auction participation

(a) Use of funds

No funds made available by subchapter II or III may be used to make payments under a contract to a person described in subsection (c).

(b) Auction participation

A person described in subsection (c) may not participate in a system of competitive bidding under section 309(j) of this title—

(1) that is required to be conducted by this chapter; or

(2) in which any spectrum usage rights for which licenses are being assigned were made available under clause (i) of subparagraph (G) of paragraph (8) of such section, as added by section 6402.

(c) Person described

A person described in this subsection is a person who has been, for reasons of national security, barred by any agency of the Federal Government from bidding on a contract, participating in an auction, or receiving a grant.

(Pub. L. 112-96, title VI, § 6004, Feb. 22, 2012, 126 Stat. 205.)

Editorial Notes

REFERENCES IN TEXT

Section 6402, referred to in subsec. (b)(2), is section 6402 of Pub. L. 112-96, which amended section 309 of this title.

SUBCHAPTER I—REALLOCATION OF
PUBLIC SAFETY SPECTRUM

§ 1411. Reallocation of D block to public safety

(a) In general

The Commission shall reallocate the 700 MHz D block spectrum for use by public safety entities in accordance with the provisions of this chapter.

(b) Omitted

(Pub. L. 112-96, title VI, § 6101, Feb. 22, 2012, 126 Stat. 205.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, and was translated as reading “this title”, meaning title VI of Pub. L. 112-96, Feb. 22, 2012, 126 Stat. 201, to reflect the probable intent of Congress. Title VI enacted this chapter and section 929 of this title, amended sections 309, 337, 614, 902, 923, 928, and 942 of this title, and enacted provisions set out as a note under section 1401 of this title.

CODIFICATION

Section is comprised of section 6101 of Pub. L. 112-96. Subsec. (b) of section 6101 of Pub. L. 112-96 amended section 337 of this title.

§ 1412. Flexible use of narrowband spectrum

The Commission may allow the narrowband spectrum to be used in a flexible manner, including usage for public safety broadband communications, subject to such technical and interference protection measures as the Commission may require.

(Pub. L. 112-96, title VI, § 6102, Feb. 22, 2012, 126 Stat. 205.)

§ 1413. Repealed. Pub. L. 116-260, div. FF, title IX, § 902(b)(1), Dec. 27, 2020, 134 Stat. 3206

Section, Pub. L. 112-96, title VI, § 6103, Feb. 22, 2012, 126 Stat. 205, related to 470-512 MHz public safety spectrum.

SUBCHAPTER II—GOVERNANCE OF PUBLIC
SAFETY SPECTRUM

§ 1421. Single public safety wireless network licensee

(a) Reallocation and grant of license

Notwithstanding any other provision of law, and subject to the provisions of this chapter, the Commission shall reallocate and grant a license to the First Responder Network Authority for the use of the 700 MHz D block spectrum and existing public safety broadband spectrum.

(b) Term of license

(1) Initial license

The license granted under subsection (a) shall be for an initial term of 10 years from the date of the initial issuance of the license.

(2) Renewal of license

Prior to expiration of the term of the initial license granted under subsection (a) or the expiration of any subsequent renewal of such license, the First Responder Network Authority shall submit to the Commission an application for the renewal of such license. Such renewal application shall demonstrate that, during the preceding license term, the First Responder Network Authority has met the duties and obligations set forth under this chapter. A renewal license granted under this paragraph shall be for a term of not to exceed 10 years.

(c) Facilitation of transition

The Commission shall take all actions necessary to facilitate the transition of the existing public safety broadband spectrum to the First Responder Network Authority.

(Pub. L. 112-96, title VI, § 6201, Feb. 22, 2012, 126 Stat. 206.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b)(2), was in the original “this Act”, and was translated as reading “this title”, meaning title VI of Pub. L. 112-96, Feb. 22, 2012, 126 Stat. 201, to reflect the probable intent of Congress. Title VI enacted this chapter and section 929 of this title, amended sections 309, 337, 614, 902, 923, 928, and 942 of this title, and enacted provisions set out as a note under section 1401 of this title.

§ 1422. Public safety broadband network

(a) Establishment

The First Responder Network Authority shall ensure the establishment of a nationwide, interoperable public safety broadband network.

(b) Network components

The nationwide public safety broadband network shall be based on a single, national network architecture that evolves with technological advancements and initially consists of—

(1) a core network that—

(A) consists of national and regional data centers, and other elements and functions that may be distributed geographically, all of which shall be based on commercial standards; and

(B) provides the connectivity between—